

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

LISA BARBOUNIS

Plaintiff,

-vs-

THE MIDDLE EAST FORUM,
DANIEL PIPES (*individually*),
GREGG ROMAN (*individually*), and
MATTHEW BENNETT (*individually*)

Defendants.

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CIVIL ACTION NO. 2:19-cv-05030-JDW

ORDER

AND NOW, this ____ day of _____, 2020, upon consideration of Defendant The Middle East Forum's Motion for Contempt for Failure to Comply with Court Order Compelling Compliance with Discovery Obligations, is hereby ORDERED that the Motion is GRANTED.

It is further ORDERED that:

(a) Ms. Barbounis is found in civil contempt for failing to comply with multiple Orders of this Court;

(b) Counsel for Ms. Barbounis is found in civil contempt for failing to comply with multiple Orders of this Court;

(c) Jury instruction will be provided to the jury to inform the jury of Ms. Barbounis' consistent efforts to hide materials in discovery and that allows the jury to presume she was successful in preventing the production of damaging material;

(d) All documents with Cornerstone are designated Attorneys' Eyes Only and turned over to The Forum's Counsel;

(e) Ms. Barbounis is found to have waived all objections and privilege as to all documents made available to The Forum's counsel following the entry of this Order and all redactions must be removed;

(f) Discovery is extended for *The Forum* only for a period of forty-five (45) days *after* The Forum receives the complete production from Cornerstone;

(g) Ms. Barbounis and her counsel are to pay all costs for any court reporter/video for any deposition reconvened based on evidence uncovered in the yet-to-be produced documents;

(h) Ms. Barbounis and her counsel are to pay The Forum's attorneys' fees and costs incurred as a result of The Forum filing its Motion to Compel (ECF No. 59); The Forums' previous contempt motions (ECF Nos. 62 and 65), and the instant Contempt Motion; and

(i) On the _____ day of _____, 2020, Counsel for the Parties are to appear before the Court for a determination of attorneys' fees and costs; or

(j) In the alternative, Ms. Barbounis' claims against The Middle Forum are dismissed, with prejudice, due to her failure to fully engage in the discovery process which has thereby prohibited The Forum from receiving discovery it is entitled to and which is necessary for The Forum to defend itself against Ms. Barbounis' claims; Ms. Barbounis and her counsel are to pay all costs for any court reporter/video for any deposition reconvened based on evidence uncovered in the yet-to-be produced documents; Ms. Barbounis and her counsel are to pay The Forum's attorneys' fees and costs incurred as a result of The Forum filing its Motion to Compel (ECF No. 59); The Forums' previous contempt motions (ECF Nos. 62 and 65), and the instant Contempt Motion; and; on the _____ day of _____, 2020, Counsel for the Parties are to appear before the Court for a determination of attorneys' fees and costs.

BY THE COURT
